

III. REMARKS

Claims 1, 2, 4, 5, 7-12, 14-16, and 18-19 are pending in this application. By this Amendment, claims 1, 8, and 15 have been amended; and claims 6 and 13 have been cancelled. Claims 3 and 17 have been cancelled previously. These amendments and cancellations are being made to facilitate more expeditious allowance of the claimed subject matter. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Rejections under 35 U.S.C. § 103(a)

In the Office Action, claims 1-2, 4-16, and 18-19 are rejected under 35 U.S.C. § 103(a). Claims 1-2, 5-10, 12-16, and 18 are rejected as allegedly being unpatentable over Gryglewicz (US Patent No 6,993,502, hereinafter “Gryglewicz”) in view of Gallagher *et al.* (US Pat. 7,200,569, hereinafter, “Gallagher”) and Wilmes *et al.* (US Patent No 7,313,538, hereinafter “Wilmes”). It is unclear whether claims 4, 11, and 19 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over the combination of Gryglewicz and Gallagher, or the combination of Gryglewicz, Gallagher, and Wilmes. Applicants respectfully request clarification from the Office on this rejection. In either case, however, Applicants submit that the claimed subject matter is allowable for the reasons that follow.

With respect to independent claim 1, Applicants have amended this claim without prejudice to claim a tax calculation architecture including, *inter alia*, “an update system for updating the customer-specific extensions and rules stored in the database.” which Applicants submit is not taught or suggested by Gryglewicz, Wilmes, or Gallagher. Support for this

amendment may be found in claims 6 and 13 as originally filed, the specification in at least paragraph [0019], and FIG. 2.

In the Office Action, the Office asserts that Gryglewicz teaches the claimed “update system” feature at col. 8, lines 19-53, and col. 20, lines 14-30. In those passages, however, Gryglewicz teaches a taxation criteria manager 416 which “provides the functionality for allowing the tax authorities (via tax authority nodes 60) and/or other authorized parties to modify or update the tax criteria database 404,” including “changing data in the tax criteria database 404 related to tax rates on products *that are independent of the business practices or business rules of the merchants.*” (Col. 20, lines 15-24 (emphasis added).) Applicants respectfully submit that this feature of Gryglewicz cannot teach or suggest “an update system for updating the customer-specific extensions and rules stored in the database,” as Gryglewicz’s teachings pertain to criteria that are *specifically independent of the business practices or business rules of the merchants.*

In view of the amendments and arguments presented above, Applicants assert that the cited references fail to teach or suggest each and every feature of claim 1 as claimed herein.

Applicants submit that the Office presented similar rejections with respect to the program product of claim 8 and the method of claim 15. Applicants note that each of these claims includes features and amendments similar in scope to those already addressed above with respect to claim 1. With further regard to claim 8, Applicants have amended this claim herein to recite “a program product stored on a recordable medium which when executed causes a computer system to process tax calculation requests, comprising...” This amendment is intended merely to provide improved clarity with regard to the claimed invention, and finds support in the specification at paragraph [0023]. Applicants further note that the Office relies on the same arguments and interpretations of Gryglewicz, Gallagher, and Wilmes as discussed above with Appl. No. 10/654,665

respect to claim 1. To this extent, Applicants herein incorporates/incorporate the arguments presented above with respect to claims 8 and 15. Applicants respectfully request withdrawal of the rejections of claims 8 and 15 for the above-stated reasons.

With regard to dependent claims 4, 11, and 19, Applicants submit that the proposed combination of Gryglewicz, Gallagher, and Wilmes does not teach or suggest the feature of “wherein the industry standard format comprises 3Y4 XML.” Gallagher, on which the Office relies to teach this feature, merely discloses implementing modules “according to industry standards, i.e., Web-based Industry Standards such as XML, Java, SOAP and the like” (col. 18, ln. 31-33). With specific regard to XML, Applicants submit that at the time of the instant invention, it was well known in the art that a variety of XML dialects exist, including ebXML, xubl, and 3Y4 XML, each of which has its own particular grammar. Nothing in Gallagher’s disclosure teaches or suggests “wherein the industry standard format comprises 3Y4 XML.” Applicants further submit that Gryglewicz and Wilmes neither cure, nor are alleged to cure this deficiency.

With regard to dependent claims 2, 5-7, 9, 10, 12-14, 16, and 18, and with further regard to claims 4, 11, and 19, Applicants respectfully submit that these claims are allowable for reasons stated above relative to independent claims 1, 8, and 15, as well as for their own additional claimed subject matter. Accordingly, Applicants respectfully request that the Office withdraw the rejections under 35 U.S.C. § 103(a) to claims 2, 4-7, 9-14, 16, and 18-19.

IV. CONCLUSION

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, he is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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